

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

FREDERICK J. ROTH, and DEBRA A. ROTH)	
)	
Plaintiffs,)	Civil Action No. 3:12-cv-00898-JEJ
)	
v.)	<i>Removal Date:</i> May 14, 2012
)	
CABOT OIL & GAS)	<i>Assigned to:</i> Hon. John E. Jones III
CORPORATION, GASSEARCH)	
DRILLING SERVICES)	
CORPORATION,)	
)	
Defendants.)	

**JOINT STIPULATION OF DISMISSAL AND MOTION FOR
ENTRY OF FINAL JUDGMENT WITH RESPECT TO THE PLAINTIFFS**

NOW COME Plaintiffs Frederick J. Roth and Debra A. Roth (the “Plaintiffs”) and Defendants Cabot Oil & Gas Corporation (“Cabot”) and GasSearch Drilling Services Corporation (“GDS”) (collectively, the “Defendants”), and hereby jointly stipulate, pursuant to FED.R.CIV.P. 41(a)(1)(A)(ii), to dismiss voluntarily and with prejudice all claims asserted in the action by the Plaintiffs against Defendants. The Parties also move this Court for entry of final judgment pursuant to FED.R.CIV.P. 54(b) with respect to those claims asserted by the Plaintiffs.

1. The Plaintiffs are: Frederick J. Roth and Debra A. Roth.
2. The Plaintiffs alleged nine causes of action in their First Amended Complaint: (i) violation of the Pennsylvania Hazardous Sites Cleanup Act, 35 P.S.

§§ 6020.101 *et seq.*; (ii) negligence; (iii) negligence per se; (iv) private nuisance; (v) strict liability; (vi) trespass; (vii) inconvenience and discomfort; (viii) breach of contract (as against Defendant Cabot); and (ix) fraudulent misrepresentation/inducement (as against Defendant Cabot). See Doc. No. 42.

3. Effective as of November 7, 2013, the Defendants and the Plaintiffs executed a settlement agreement (the “Settlement Agreement”) that resolves all claims by the Plaintiffs against the Defendants.

4. Therefore, the Plaintiffs and the Defendants file this stipulation and voluntary dismissal, with prejudice, in accordance with the terms of the Settlement Agreement and Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, which provides that a plaintiff may stipulate to a voluntary dismissal of claims where the stipulation is signed by all Parties who have appeared.

5. As evidenced by the signature of counsel below, all Parties to this Joint Stipulation are in agreement with the terms of the stipulation and voluntary dismissal, with prejudice, of all claims asserted by the Plaintiffs against the Defendants.

6. Each Party will bear its own costs incurred during the course of the instant action.

WHEREFORE, the Plaintiffs and the Defendants respectfully request this Honorable Court direct entry of final judgment pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

Date: December 10, 2013

Respectfully submitted:

/s/ Amy L. Barrette
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/s/ Tate J. Kunkle
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